

**THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO**

**CONTEMPT CASE No.1469 OF 2016**

**ORDER :**

This Court by order dt.18.03.2016 in W.P.No.8912 of 2016 directed the respondent herein to consider and pass orders on petitioner's application dt.25.09.2015 made in Form 6A for issuance of Pattadar Passbook and Title Deed under the provisions of the A.P. Rights in Land and Pattadar Passbook Act, 1971.

2. Alleging non-compliance with the said order, the present Contempt Case is filed on 26.07.2016 contending that in spite of the fact that the order passed by the Court was communicated by registered post on 16.05.2016 and 29.06.2016, no action was initiated by the respondent.

3. Counter affidavit is filed by the respondent stating that the copy of the order passed by this Court was received by his office on 03.06.2016, that one K.Venkateswara Rao was working as Tahsildar of the Mandal at that point of time, that the respondent herein took charge as Tahsildar on 01.07.2016 only, that he looked into the matter and then issued an endorsement dt.28.12.2016 in compliance with the orders of the Court. While admitting that there is a delay in

complying with the orders of this Court, apology is also tendered.

4. Curiously, copy of the said endorsement dt.28.12.2016 was not enclosed to the counter affidavit.

5. Time was granted on 10.02.2017 to the learned Government Pleader to file the said endorsement and the matter was posted to 17.02.2017. After that, the matter was listed on 10.03.2017. Again on 10.03.2017, at request of the Government Pleader, matter was posted to 13.03.2017. On 13.03.2017 again the Government Pleader sought time to produce the said endorsement.

6. Taking a serious view of the matter, this Court then directed the respondent to appear before this Court with copy of the endorsement dt.28.12.2016 and to pay exemplary costs of Rs.5,000/- to the High Court Legal Services Committee, personally, on or before 17.03.2017, for obstructing the course of justice and delaying disposal of the contempt case. The said costs have been paid on 16.03.2017 by the respondent.

7. Today, copy of the endorsement dt.28.12.2016 has been produced by the respondent and it is stated in hand writing on it that an attempt was made to serve copy of the same on

the petitioner on 28.12.2016, but the petitioner was not available in the village and a panchanama was conducted.

8. Copy of the panchanama enclosed to the endorsement contains the signature of the Surpanch of the Gram Panchayath made on 10.09.2016. No explanation is offered why copy of the endorsement was not communicated by RPAD to the petitioner or why no attempt was made to contact the counsel for petitioner in the Contempt Case to supply copy of the endorsement to the petitioner. There is also no explanation, why this endorsement was not annexed to the counter affidavit filed by the respondent on 19.01.2017.

9. The above referred conduct of the respondent clearly indicates that he has no respect for the orders of the Court and that the apology given by him is not *bona fide*. I am also of the view that having taken charge on 01.07.2016 and being aware of the Court order dt.18.03.2016 to dispose of the petitioner's representation dt.25.09.2015, within six weeks, the respondent took unduly long time till 28.12.2016 to issue the impugned endorsement.

10. Therefore, the Contempt Case is allowed; the respondent is convicted for willful delayed obedience of the

orders passed by this Court on 18.03.2016 and for obstructing the course of justice and he is sentenced to pay fine of Rs.1,000/- (Rupees One thousand) within a period of four (04) weeks from today and in default, he shall suffer Simple Imprisonment for a period of two (02) weeks.

11. Consequently, miscellaneous petitions pending if any, shall stand closed.

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**M.S. RAMACHANDRA RAO, J**

24<sup>th</sup> March, 2017  
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